

THE HONORABLE BARBARA J. ROTHSTEIN

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

LINDA SONG, RACHEL GURLEY, ANDREW LUNA, MARIO GORDON, and MELANI GORDON, individually and on behalf of classes of similarly situated individuals,

Plaintiffs,

V.

T-MOBILE USA, INC.,

Defendant.

No. 2:21-cv-01460-BJR

**STIPULATED MOTION AND ORDER
TO STAY PROCEEDINGS PENDING
JPML'S RULING ON TRANSFER**

**STIPULATED MOTION AND ORDER
TO STAY PROCEEDINGS
(No. 2:21-cv-01460-BJR) - 1**

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Under Western District of Washington Local Rules 7(d)(1) and 10(g), Plaintiffs Linda Song, Rachel Gurley, Andrew Luna, Mario Gordon, and Melani Gordon, and Defendant T-Mobile USA, Inc. (together “the Parties”), hereby stipulate to stay all proceedings and deadlines in this action until the Judicial Panel on Multidistrict Litigation (“JPML”) rules on the pending motion to transfer under 28 U.S.C. § 1407 (“MDL Petition”). *See In re: T-Mobile Customer Data Sec. Breach Litig.* (“*In re: T-Mobile*”), MDL No. 3019 (ECF No. 1). In support of this stipulated motion, the Parties state:

Plaintiffs filed this case on October 27, 2021. *See* ECF No. 1. In a related case, this Court recently granted T-Mobile’s motion requesting a stay pending the JPML’s ruling on the MDL Petition, finding:

Any delay arising from a stay is likely to be short, and Plaintiffs have not demonstrated that any significant prejudice would result from a short stay. A stay is also likely to conserve judicial resources, as well as the parties’ resources, until the JPML decides whether (and if so, where) to transfer the dozens of similar cases for coordinated or consolidated pretrial proceedings.

Daruwalla v. T-Mobile USA, Inc., No. 2:21-cv-01118-BJR (W.D. Wash. Oct. 29, 2021) (ECF No. 39). The Parties therefore respectfully request that the Court enter a short stay of all proceedings here, including the deadlines for responding to the complaint, filing any motion to dismiss or moving to compel arbitration, until the JPML rules on the MDL Petition.

Dated: November 16, 2021

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ORDER

IT IS SO ORDERED.

Dated this 17th day of November, 2021.

s/Barbara J. Rothstein

Barbara J. Rothstein
U.S. District Court Judge

Presented by:

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